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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/652,611	08/30/2000	Charles E. Cantwell	10003898-1	4360

7590

11/10/2003

Hewlett Packard Company  
Intellectual Property Administration  
P O Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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KHOSRAVAN, JIMAN

ART UNIT	PAPER NUMBER
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2141

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DATE MAILED: 11/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/652,611

Applicant(s)

CANTWELL, CHARLES E.

Examiner

Jiman Khosravan

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION:

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08/30/2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

DETAILED ACTION

*Drawing Objections*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Item 4: list of resources in figure 1, page 3, line 17.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because of the following:

Reference character "14" has been used to designate both "GRL TAG" in a Resource Storage Device 4 and "GRL TAG" in a Server Storage Device in Fig. 1.

Reference character "4" has been used to designate both "Network Resource" and "List of Resources."

3. The drawings are objected to under 37 CFR 1.83(b) because they are incomplete. 37 CFR 1.83(b) reads as follows:

When the invention consists of an improvement on an old machine the drawing must when possible exhibit, in one or more views, the improved portion itself, disconnected from the old structure, and also in another view, so much only of the old structure as will suffice to show the connection of the invention therewith.

4. Figure 2 lacks the step for Client (8) to display resource (4), step (30), to the user immediately following extraction of location, step (28) as described in description. In the current drawing, client (8) must first compare the location to criteria, step (32), then it may continue to step (30) after "MATCH?"

5. The drawings are objected to because on page 3, line 23, "resource storage device" is referenced as character number "14", wherein it should be referenced as character "12."

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

*Claim Rejections ~ 35 U.S.C. § 102*

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application

for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Franklin et al. (US 2001/0023440 A1).

a. As per claims 1 and 15, Franklin discloses a method for learning the physical location of a resource in communication with a network, where the method comprises assigning to the resource a global resource locator (GRL) tag, the GRL tag including at least a description of the physical location of the resource, communicating the GRL tag over the network, and extracting the description of the physical location from the GRL tag (Fig. 1; Fig. 7; Page 1, paragraph [0015]; Page 3, paragraph [0044]; Page 4, paragraph [0054]: Franklin teaches assigning a resource application object for each resource over a network).

b. As per claim 2, Franklin further teaches storing the GRL tag on the resource (Page 2, paragraph [0020]).

c. As per claim 3, Franklin further teaches storing the GRL tag in a list of resources in a server (Fig. 3; Page 4, paragraph [0050]: Franklin stores an object tree 92 of application objects 100 in a directory service server 81).

d. As per claim 4, Franklin further teaches assigning the GRL tag includes specifying a coordinate system in the GRL tag and specifying coordinates for the resource in the GRL tag (Page 4, paragraph [0054]).

e. As per claim 5, Franklin also teaches the GRL tag including a descriptive label of the resource in the GRL tag (Fig. 7; Page 4, paragraph [0054]).

f. As per claims 6 and 16, Franklin further teaches including applying user selected search criteria to the GRL tag (Fig. 3, Item 106; Page 1, paragraph [0015], Page 4, paragraph [0050]).

g. As per claims 7 and 17, Franklin also teaches the user a selected search criterion includes that comparison of a location of the user to the location of the resource (Fig. 3; Page 1, paragraph [0015], Page 4, paragraph [0050]).

h. As per claim 8, Franklin teaches a system for learning the physical location of a resource in communication with a network where the system comprises a network resource, a client device, a network for providing communication between the network resource and the client device, a tag assignor configured to assign to the resource a global resource locator GRL tag including at least a description of the physical location of the resource and executable code, accessible by the client, configured to extract the description of the physical

location from the GRL tag for the client (Page 1, paragraph [0015]; Page 2, paragraph [0017]; Page 3, paragraph [0044]; Page 4, paragraph [0054]).

i. As per claim 9, Franklin further teaches the means for the tag assignor to store the GRL tag on the resource (Page 2, paragraph [0020]).

j. As per claim 10, Franklin further teaches the assignor to include a server, a list of resources stored on the server and means for storing the GRL tag in the list of resources (Fig. 3; Page 2, paragraph [0017]; Page 4, paragraph [0050]: Franklin stores an object tree 92 of application objects 100 in a directory service server 81).

k. As per claim 11, Franklin further teaches a tag assignor assigning the GRL tag specifying a coordinate system in the GRL tag and specifying coordinates for the resource in the GRL tag (Page 2, paragraph [0017]; Page 4, paragraph [0054]).

l. As per claim 12, Franklin also teaches the tag assignor includes means for providing a descriptive label of the resource in the GRL tag (Fig. 7; Page 2; paragraph [0017]; Page 4, paragraph [0054]).

m. As per claim 13, Franklin further teaches executable code is further configured to apply user selected search criteria to the GRL tag (Fig. 3, Item 106; Page 1, paragraph [0015], Page 4, paragraph [0050]).

n. As per claim 14, Franklin also teaches the user a selected search criterion includes that comparison of a location of the user to the location of the resource (Fig. 3; Page 1, paragraph [0015], Page 4, paragraph [0050]).

o. As per claim 18, Franklin further teaches displaying to the user resource meeting the user selected search criteria (Page 2, paragraphs [0020]-[0027]).

### *Conclusion*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jiman Khosravan whose telephone number is (703) 305-0704. The examiner can normally be reached on Monday - Friday from 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Communication via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [rupal.dharia@uspto.gov].

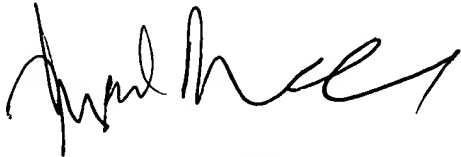


All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Jiman Khosravan  
Examiner  
Art Unit 2141

October 30, 2003

  
**RUPAL DHARIA**  
SUPERVISORY PATENT EXAMINER